

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

This document pertains to:

Basso, et al. v. Sunoco, Inc., et al., No. 03-Civ-9050
Tonneson, et al. v. Sunoco, Inc., et al., No. 03-Civ-8248

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

**EXXON MOBIL CORPORATION'S NOTICE OF MOTION
FOR LEAVE TO FILE THIRD-PARTY COMPLAINT**

PLEASE TAKE NOTICE that Defendants Exxon Mobil Corporation ("ExxonMobil") and Sunoco, Inc. and Sunoco, Inc. (R&M) ("Sunoco") (collectively "Defendants") hereby move before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an order granting Exxon Mobil Corporation leave to file a third-party complaint against Favre Bros. Land, Inc., LeRoy G. Favre Jr. and David J. Favre.

ExxonMobil's motion is based upon the Memorandum of Law (and exhibits attached thereto) filed concurrently herewith, as well as any reply brief or oral argument that may be submitted or made by ExxonMobil in support of this Motion.

December 24, 2008
New York, New York

Respectfully submitted,



Peter John Sacripanti (PS 8968)
Stephen J. Riccardulli (SR 7784)
McDermott Will & Emery LLP
340 Madison Avenue
New York, NY 10017-4613
Tel. (212) 547-5400
Fax 212) 547-5444

Anthony A. Bongiorno (*pro hac vice*)

MCDERMOTT WILL & EMERY LLP
28 State Street
Boston, MA 02109-1775

Jennifer Kalnins Temple (JK 3274)
MCDERMOTT WILL & EMERY LLP
18191 Von Karman Avenue, Suite 500
Irvine, CA 92612-7108

Attorneys for Exxon Mobil Corporation